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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/591,275

08/31/2006

Jun Koyama

0756-7805

9381

31780

7590

05/14/2009

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EXAMINER

BYRNE, HARRY W

ART UNIT

PAPER NUMBER

2824

MAIL DATE

DELIVERY MODE

05/14/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/591,275	Applicant(s) KOYAMA, JUN	
	Examiner HARRY W. BYRNE	Art Unit 2824	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 15-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/31/06 & 2/17/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to Response to Restriction filed on 02/17009. Claims 1-23 are pending in the application; claims 1-2 and 15-16 being independent. **Claims 1-14 are elected** without traverse, and claims 15-23 are withdrawn from further consideration.

Election/Restrictions

2. Applicant's **election** without traverse of **Claims 1-14** in the reply filed on 02/17009 is acknowledged. **Claims 15-23** are **withdrawn** from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Examiner's Note

The examiner has cited particular columns and line numbers or figures in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public

Art Unit: 2824

use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-14** are rejected under 35 U.S.C. 102(b) as anticipated by US Pre-Grant Publication 2003/0183699 A1 to *Masui*.

As to **claim 1**, *Masui* discloses a semiconductor device comprising: a modulation circuit; a demodulation circuit; a logic circuit connected to the demodulation circuit; an antenna circuit which is electrically connected to the modulation circuit and the demodulation circuit; a memory circuit for storing an output signal of the logic circuit; and a control circuit, wherein the memory circuit comprises a ferroelectric capacitor, and wherein data is written to the memory circuit based on the instruction of the control circuit (see Fig. 1, 9, 13 to the radio and 3 and 10 to the Ferroelectric capacitor and transistors).

As to **claim 2**, *Masui* discloses a semiconductor device comprising: a modulation circuit; a demodulation circuit; a logic circuit connected to the demodulation circuit; an antenna circuit which is electrically connected to the modulation circuit and the demodulation circuit; a memory circuit for storing an output signal of the logic circuit; and means for controlling data to be written or not to the memory circuit, wherein the memory circuit comprises a ferroelectric capacitor, and wherein data is written to the memory circuit based on the instruction of the means for controlling data (see Fig. 1, 9, 13 to the radio and 3 and 10 to the Ferroelectric capacitor and transistors).

As to **dependent claim 3-14**, *Masui* further discloses semiconductor device according to claim 1 or 2, wherein a memory cell that forms the memory circuit includes two transistors and two ferroelectric capacitors. (see Fig. 1, 9, 13 to the radio and 3 and 10 to the Ferroelectric capacitor and transistors).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HARRY W. BYRNE whose telephone number is (571) 270-3308. The examiner can normally be reached on M-F 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Elms can be reached on 571-272-1869. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Harry W Byrne/
Examiner, Art Unit 2824

/Richard Elms/
Supervisory Patent Examiner, Art Unit 2824
5.11.09